UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSHUA KREFETZ, COMMONWEALTH OF MASSACHUSETTS, CITY OF BOSTON INSPECTIONAL SERVICES DEPARTMENT, Plaintiff,	)	C.A. No. 17-10860-WGY
v.	)	
HELEN CAMERON, Defendant.	)	

ORDER REMANDING CASE

YOUNG, D.J.

On May 12, 2017, pro se defendant Helen Cameron removed three state housing court actions to federal court. Along with her notice of removal, she filed a motion to proceed *in forma pauperis*. "Only state-court actions that originally could have been filed in federal court may be removed to federal court by the defendant." Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987). Here, defendant appears to be attempting to remove three actions filed in the Commonwealth of Massachusetts Housing Court Department. The Court discerns no basis on which any of these actions could have originally been brought in this Court under either 28 U.S.C. §§ 1331 or 1332, and therefore the defendant is unable to remove the action to this court under 28 U.S.C. §§ 1441(a) or (b). Even if the defendant possessed a defense or counterclaim premised on federal question, it is "settled law that a case may *not* be removed to federal court on the basis of a federal defense...even if the defense is anticipated in the plaintiff's complaint..." Caterpillar Inc. v. Williams, 482 U.S. 386, 393 (1987). See Kiely v. Canty, 102 F.Supp. 3d. 359, 368 (D. Mass. 2015)(observing well settled rule that "defendants may remove only on the basis of claims brought against them and not on the basis of counterclaims or defenses asserted by them."); In re Whatley, 396 F. Supp. 2d 50, 54 (D. Mass. 2005).

Accordingly, because this court has no subject matter over the actions they are hereby REMANDED to the Commonwealth of Massachusetts Housing Court Department pursuant to 28 U.S.C. § 1447(c). Plaintiff's motion to proceed *in forma pauperis* is DENIED as it is incomplete.

SO ORDERED.

May 24, 2017
DATE

William G. Young
WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE